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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

07/28/2008

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EXAMINER

SALIARD, SHANNON S

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 07/28/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/475,961

12/30/1999

TIMOTHY JAY SMITH

9D-EC-19335

7120

TITLE OF INVENTION: DELIVERY MANAGEMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/28/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

07/28/2008

John S. Beulick  
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One Metropolitan Square, Suite 2600  
St. Louis, MO 63102

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,961	12/30/1999	TIMOTHY JAY SMITH	9D-EC-19335	7120

TITLE OF INVENTION: DELIVERY MANAGEMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/28/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
SALIARD, SHANNON S	3628	705-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,961	12/30/1999	TIMOTHY JAY SMITH	9D-EC-19335	7120

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EXAMINER

SALIARD, SHANNON S

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 07/28/2008

## Determination of Patent Term Extension under 35 U.S.C. 154 (b)

(application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

09/475,961

Examiner

SHANNON S. SALIARD

Applicant(s)

SMITH ET AL.

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/2/08.
2. ☒ The allowed claim(s) is/are 1,5,7-12,14,15,19,21-26,30,32-37,39-41,45,47-51,55 and 57-60.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Krischke on 17 July 2008.

The application has been amended as follows:

1. (currently amended) A method of managing a delivery schedule of an order using a system configured with a server which includes a goods delivery system, the system including at least one computing unit networked to the server, the order being delivered from at least one supplier to a respective delivery agent, and from the respective delivery agent to a respective buyer, wherein the order comprises order information, said method comprising the steps of:

- (1) calculating a first potential arrival date of the order to a respective delivery agent's location using the server system networked to the computing unit based on an order request date, a respective buyer's address, and a fixed delay;
- (2) generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;
- ~~(3) (2) determining a number of delivery slots needed for the order by multiplying, each item in the order by a work unit selected from thea work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;~~
- ~~(4) (3) determining an ability of the respective delivery agent to ship the order based on the first potential arrival date and the number of delivery slots;~~
- ~~(5) (4) determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the order to the respective buyer's address;~~
- ~~(6) (5) updating an electronic manifest indicating the delivery date of the order and a change in delivery agent capacity for the delivery date; and~~
- ~~(7) (6) determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type~~

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of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), (5), and ~~(5)(6)~~ are repeated to determine a new delivery date.

2-4. (canceled)

5. (previously presented) The method of managing the delivery schedule as recited in claim 1, wherein the step of determining a delivery date to the respective buyer when there is sufficient capacity to ship the order further comprises the step of determining a first available date to completely ship the order to the respective buyer based on a capacity matrix and based on a number of available slots.

6. (canceled)

7. (previously presented) The method of managing the delivery schedule as recited in claim 1, further comprising the step of getting a zip code to which the order is to be delivered and a brand of a respective good in the order.

8. (previously presented) The method of managing the delivery schedule as recited in claim 7, further comprising the step of getting the supplier ship schedule based on the zip code and the brand of the respective good ordered.

9. (previously presented) The method of managing the delivery schedule as recited in claim 8, further comprising the step of selecting the respective delivery agent and a respective capacity matrix based on the zip code of the order.

10. (previously presented) The method of managing the delivery schedule as recited in claim 9, further comprising the step of determining a first potential ship date to the respective buyer's address based on the capacity of the respective delivery agent and the delivery schedule of the respective delivery agent.

11. (previously presented) The method of managing the delivery schedule as recited in claim 1, wherein the step of allowing an order change that affects the delivery date of the order to be made further comprises the step of allowing the order change to be made using an external order interface.

12. (original) The method of managing the delivery schedule as recited in claim 1, further comprising the step of updating the electronic manifest with status information.

13. (canceled)

14. (previously presented) The method of managing the delivery schedule as recited in claim 1, wherein the step of calculating a first potential arrival date of the order to a

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respective delivery agent's location further comprises calculating a first potential arrival date of the order, wherein the order information comprises the order request date, a model number, a quantity of items, a brand of an item, a service to be selected, a requested delivery date, the respective buyer's delivery address, a security level clearance, and status information.

15. (currently amended) A method of managing a delivery schedule of an order using a system configured with a server which includes a goods delivery system, the system including at least one computing unit networked to the server, the order being delivered from at least one supplier to a respective delivery agent, and from the respective delivery agent to a respective buyer, wherein the order comprises order information, said method comprising the steps of:

(1) calculating a first potential arrival date of the order to a respective delivery agent's location using the server system networked to the computing unit based on an order request date, a respective buyer's address, and a fixed delay;

(2) generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;

~~(3) (2) determining a number of delivery slots needed for the order by multiplying each item in the order by a work unit selected from the a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty, of installation associated with each item in the order;~~

~~(4) (3) determining an ability of the respective delivery agent to ship the order within a set of potential delivery dates based on the first potential arrival date, a first date the respective delivery agent is prepared to ship the order, and a number of slots available for shipping the order;~~

~~(5) (4) selecting an actual delivery date from the set of potential delivery dates;~~

~~(6) (5) updating an electronic manifest indicating the actual delivery date of the order and a change in delivery agent capacity for the delivery date; and~~

~~(7) (6) determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), (5), and ~~(5) (6)~~ are repeated to determine a new delivery date.~~

16-18. (canceled)

19. (previously presented) The method of managing the delivery schedule as recited in claim 15, wherein the step of selecting an actual delivery date from the set of potential delivery dates further comprises the step of determining a first available date to completely ship the order to the respective buyer based on a capacity matrix and based

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on a number of available slots.

20. (canceled)

21. (previously presented) The method of managing the delivery schedule as recited in claim 15, further comprising the step of getting a zip code to which the order is to be delivered and a brand of a respective good in the order.

22. (previously presented) The method of managing the delivery schedule as recited in claim 21, further comprising the step of getting the respective supplier ship schedule based on the zip code and the brand of the respective good ordered.

23. (previously presented) The method of managing the delivery schedule as recited in claim 22, further comprising the step of selecting the respective delivery agent and a respective capacity matrix based on the zip code of the order.

24. (previously presented) The method of managing the delivery schedule as recited in claim 23, further comprising the step of determining a first potential ship date to the respective buyer's address based on the capacity of the respective delivery agent and a delivery schedule of the respective delivery agent.

25. (previously presented) The method of managing the delivery schedule as recited in claim 15, wherein the step of calculating a first potential arrival date of the order to a respective delivery agent's location further comprises calculating a first potential arrival date of the order, wherein the order information comprises the order request date, a model number, a quantity of items, a brand of an item, a service to be selected, a requested delivery date, the respective buyer's delivery address, a security level clearance, and status information.

26. (currently amended) A computer program product comprising a computer readable medium having computer readable program instructions ~~storage medium readable by a computer system and encoding a computer program of instructions for executing a computer process~~ for managing deliveries of a goods delivery system, the system employed to deliver an order from at least one supplier to a respective delivery agent, and from the respective delivery agent to a respective buyer, given order information, said computer readable program instructions ~~process~~ comprising the steps of:  
(1) determining a first potential arrival date of the order to a respective delivery agent's location, based on an order request date, a respective buyer's address, and a fixed delay;  
(2) generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;  
(3) ~~(2)~~ determining a number of delivery slots needed for the order by multiplying each item in the order by a work unit selected from the a work unit matrix, ~~wherein each work~~

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~~unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty, of installation associated with each item in the order;~~

~~(4)(3)~~ determining an ability of the respective delivery agent to ship the order based on the first potential arrival date and a number of slots;

~~(5)(4)~~ determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the order to the respective buyer's address;

~~(6)(5)~~ updating an electronic manifest indicating the delivery date of the order and a change in delivery agent capacity for the delivery date; and

~~(7)(6)~~ determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), (5), and ~~(5)(6)~~ are repeated to determine a new delivery date.

27-29. (canceled)

30. (previously presented) The computer process as recited in claim 26, wherein the step of determining a delivery date to the respective buyer when there is sufficient capacity to ship the order further comprises the step of determining a first available date to completely ship the order to the respective buyer based on a capacity matrix and based on the number of available slots.

31. (canceled)

32. (previously presented) The computer process as recited in claim 26, further comprising the step of getting a zip code to which the order is to be delivered and a brand of a respective good in the order.

33. (previously presented) The computer process as recited in claim 32, further comprising the step of getting the supplier ship schedule based on the zip code and the brand of the respective good ordered.

34. (previously presented) The computer process as recited in claim 33, further comprising the step of selecting the respective delivery agent and a respective capacity matrix based on the zip code of the order.

35. (previously presented) The computer process as recited in claim 34, further comprising the step of determining a first potential ship date to the respective buyer's address based on the capacity of the respective delivery agent and the delivery schedule of the respective delivery agent.

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36. (previously presented) The computer process as recited in claim 26, wherein the step of allowing an order change that affects the delivery date of the order to be made further comprises the step of allowing the order change to be made using an external order interface•

37. (original) The computer process as recited in claim 36, further comprising the step of updating the electronic manifest with status information.

38. (canceled)

39. (previously presented) The computer process as recited in claim 26, wherein the step of determining a first potential arrival date of the order to a respective delivery agent's location further comprises determining a first potential arrival date of the order, wherein the order information comprises the order request date, a model number, a quantity of items, a brand of an item, a service to be selected, a requested delivery date, the respective buyer's delivery address, a security level clearance, and status information.

40. (currently amended) An apparatus for managing the delivery of an order from at least one supplier to a respective delivery agent, and from the respective delivery agent to a respective buyer, given order information, said apparatus comprising:  
means for determining a first potential arrival date of the order to a respective delivery agent's location, based on an order request date, a respective buyer's address, and a fixed delay;

means for generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;

means for determining a number of delivery slots needed for the order by multiplying each item in the order by a work unit selected from ~~the~~ a work unit matrix, ~~wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;~~

means for determining an ability of the respective delivery agent to ship the order based on the first potential arrival date and a number of slots available for shipping the order;

means for determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the order to the respective buyer's address;

means for updating an electronic manifest indicating an order ship date and a change in delivery agent capacity for the delivery date; and

means for determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on:

(a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of

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the order change, said apparatus determines a new delivery date and updates the electronic manifest.

41. (currently amended) A method of managing a delivery schedule of a multiple brand order using a system configured with a server which includes a goods delivery system, the system including at least one computing unit networked to the server, the multiple brand order being delivered from at least two suppliers to a respective delivery agent, and from the respective delivery agent to a respective buyer, wherein the multiple brand order comprises order information, said method comprising the steps of:

(1) calculating a first potential arrival date of the multiple brand order to a respective delivery agent's location using the server system networked to the computing unit based on an order request date, a respective buyer's address, and a fixed delay;

(2) generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;

~~(3) (2) determining a number of delivery slots needed for the order by multiplying each item in the order by a work unit Selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each of item in the order;~~

~~(4) (3) determining an ability of the respective delivery agent to ship the multiple brand order from the at least two suppliers based on the first potential arrival date and a number of slots available for shipping the order;~~

~~(5) (4) determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the multiple brand order to the respective buyer's address;~~

~~(6) (5) updating an electronic manifest indicating the delivery date of the multiple brand order and a change in delivery agent capacity for the delivery date; and~~

~~(7) (6) determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least two suppliers, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, one of the at least two suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), (5), and ~~(5) (6)~~ are repeated to determine a new delivery date.~~

42-44. (canceled)

45. (previously presented) The method of managing the delivery schedule as recited in claim 41, wherein the step of determining a delivery date to the respective buyer when there is sufficient capacity to ship the multiple brand order further comprises the step of determining a first available date to completely ship the multiple brand order to the respective buyer based on a capacity matrix and based on the number of available

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slots.

46. (canceled)

47. (previously presented) The method of managing the delivery schedule as recited in claim 41, further comprising the step of getting a zip code to which the multiple brand order is to be delivered and a brand of at least one respective good in the multiple brand order.

48. (previously presented) The method of managing the delivery schedule as recited in claim 47, further comprising the step of getting each of the supplier ship schedules based on the zip code and the brand of the at least one respective good ordered.

49. (previously presented) The method of managing the delivery schedule as recited in claim 48, further comprising the step of selecting the respective delivery agent and the respective capacity matrix based on the zip code of the multiple brand order.

50. (previously presented) The method of managing the delivery schedule as recited in claim 49, further comprising the step of determining a first potential ship date to the respective buyer's address based on the capacity of the respective delivery agent and the delivery schedule of the respective delivery agent.

51. (currently amended) A method of managing a delivery schedule of a multiple brand order using a system configured with a server which includes a goods delivery system, the system including at least one computing unit networked to the server, the order being delivered from at least two suppliers to a respective delivery agent, and from the respective delivery agent to a respective buyer, wherein the multiple brand order comprises order information, said method comprising the steps of:

(1) calculating a first potential arrival date of the multiple brand order to a respective delivery agent's location using the server system networked to the computing unit based on an order request date, a respective buyer's address, and a fixed delay;

(2) generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;

~~(3) (2) determining a number of deliver,/ slots needed for the order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order;~~

~~(4) (3) determining an ability of the respective delivery agent to ship the multiple brand order from the at least two suppliers based on the first potential arrival date and a number of slots available for shipping the order;~~

~~(5) (4) determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the multiple brand order to the respective buyer's address;~~

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~~(6)(5)~~ updating an electronic manifest indicating the delivery date of the multiple brand order and a change in delivery agent capacity for the delivery date; and  
~~(7)(6)~~ determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least two suppliers, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, one of the at least two suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), (5), and ~~(5)(6)~~ are repeated to determine a new delivery date.

52-54. (canceled)

55. (previously presented) The method of managing the delivery schedule as recited in claim 51, wherein the step of determining a delivery date to the respective buyer when there is sufficient capacity to ship the multiple brand order further comprises the step of determining a first available date to completely ship the multiple brand order to the respective buyer based on a capacity matrix and based on the number of available slots.

56. (canceled)

57. (previously presented) The method of managing the delivery schedule as recited in claim 51, further comprising the step of getting a zip code to which the multiple brand order is to be delivered and a brand of at least one respective good in the multiple brand order.

58. (previously presented) The method of managing the delivery schedule as recited in claim 57, further comprising the step of getting each of the supplier ship schedule based on the zip code and the brand of the at least one respective good ordered.

59. (previously presented) The method of managing the delivery schedule as recited in claim 58, further comprising the step of selecting the respective delivery agent and the respective capacity matrix based on the zip code of the multiple brand order.

60. (previously presented) The method of managing the delivery schedule as recited in claim 59, further comprising the step of determining a first potential ship date to the respective buyer's address based on the capacity of the respective delivery agent and the delivery schedule of the respective delivery agent.

2. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Juedes et al [WO 01/13261], Kennedy [6,963,847], and Borders et al [US 2007/0162353].

Juedes et al discloses a method for managing deliveries from a supplier to a delivery agent wherein the delivery date is based on the agent's location and capacity. Juedes et al further discloses as capacity is utilized, a system is updated to indicate a change in the delivery capacity.

Kennedy discloses delivery items to a respective buyer, wherein the delivery date of the items is based on a fixed delay. Kennedy further discloses determining a new delivery date based on a change requested by a user.

Borders et al discloses determining delivery time based upon transportation capacity data, such as the number of couriers available, the number of vehicles available, the number of orders, truck routes, etc.

As per claims 1, 15, 26, 40, 41, and 51, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest a system or method of managing a delivery schedule of an order using a system configured with a server, the method comprising: generating a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order and determining a number of deliver, slots needed for the order by multiplying each item in the order by a work unit selected from a work unit matrix. The specific allowable feature, which distinguishes the

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present invention over the prior art of record, is determining a number of deliver, slots needed for the order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order.

Claims 5, 7-12, and 14 are dependent upon claim 1 and thus have all the limitations of claim 11 and are allowable for that reason. Claims 19 and 21-25 are dependent upon claim 15 and thus have all the limitations of claim 15 and are allowable for that reason. Claims 30, 32-37, and 39 are dependent upon claim 26 and thus have all the limitations of claim 26 and are allowable for that reason. Claims 45 and 47-50 are dependent upon claim 41 and thus have all the limitations of claim 41 and are allowable for that reason. Claims 55, and 57-60 are dependent upon claim 51 and thus have all the limitations of claim 51 and are allowable for that reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is

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(571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Or faxed to:

**(571) 273-5587** [Informal/ Draft Communications, labeled  
“PROPOSED” or “DRAFT”]

Hand delivered responses should be brought to the Customer Service Window,  
Randolph Building, 401 Dulany Street, Alexandria, VA 22314

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